

February 20, 2024

Dear Members of the Indiana House Education Committee:

SB 202 would undermine the integrity and quality of education in Indiana's public universities. This legislation mandates that the boards of trustees of Indiana's public institutions of higher education create a policy for granting tenure and terminating the appointments of tenured faculty based on how well that faculty member has fostered "intellectual diversity" within the classroom. The American Historical Association urges you to reject this attempt at ideological monitoring that will weaken the system of tenure and discourage top-level faculty from joining Indiana's public universities.

The AHA does not disagree in principle with SB 202's goal to ensure that faculty "help the institution foster a culture of free inquiry, free expression, and intellectual diversity." Classrooms must be spaces where students can experiment with ideas without worrying about ideological boundaries or mandates, places where teachers stimulate students to explore freely without inculcating anything other than the value of intellectual curiosity and disciplinary rigor and ethics.

This bill, however, inserts the will and judgment of politically appointed boards of trustees into the fundamental work of university faculty. Trustees, several steps removed from the classroom, would gain broad authority to adjudicate just what qualifies as "subjecting students to views and opinions not related to the faculty member's academic discipline"—or indeed, what the appropriate "variety of political or ideological frameworks" in each discipline looks like. Where is the line? Must a history course on the Holocaust assign texts by Holocaust deniers? This legislation would create conditions of uncertainty for faculty, presenting situations where their jobs are on the line for the infraction of not having enough arbitrarily decided "variety" in their "political or ideological frameworks."

History—and by extension history instruction—thrives on reasoned debate and a constant search for new questions and new angles of vision. Procedures for tenure and promotion in our discipline reward the ability to find fresh insights in the events of yesteryear, rooted in standards for evidence and interpretation articulated in the AHA's [Statement on Standards of Professional Conduct](#). In our discipline, true intellectual diversity cannot be reduced, as this bill proposes, to "multiple, divergent, and varied scholarly perspectives on an extensive range of public policy issues." As we have noted [elsewhere](#), "most historical issues are better understood as having different angles of vision rather than 'opposing sides.'" We object to the premise that higher education faculty should be evaluated based on the diversity of their politics as opposed to the quality of their ideas. We suspect that many Indiana voters would agree.

Post-tenure review is an inappropriate means by which to address the content of course material. Universities already have an extensive system in place to evaluate faculty performance, mediate institutional grievances, and govern themselves in accordance with widely held principles. Inviting political appointees to intervene, overrule, and punish faculty will merely make it easier for public interest groups and politicians—of either party—to weed out faculty with whom they disagree.

Tenure was instituted nearly a century ago, not as a sinecure but to guarantee the academic freedom necessary to assure integrity and innovation in both research and teaching. A tenured scholar could ask controversial questions in the classroom and in developing new research projects. Scholarly pathways could draw from creativity, expertise, and evidence without limitations from state mandates or pressure. Tenure helps to protect university classrooms and laboratories as spaces where learning is advanced and new knowledge is created, rather than any given political platform promoted. America's colleges and universities draw faculty and students from around the world because of the research and educational advantages that follow from these principles.

Despite occasional media misrepresentations, tenure is not a license to slack off or to engage in untoward behavior. Higher education institutions in general, including public institutions in Indiana, evaluate faculty performance annually and articulate standards of behavior, violation of which is grounds for dismissal even for tenured faculty.

Without tenure protections, scholars will shy away from daring and innovative research questions. Their scholarship will tilt toward "safe" areas of exploration less likely to generate the breakthroughs characteristic of top research institutions. Their teaching will be similarly cautious. Without tenure, a teacher avoids controversy, including the kinds of issues that students need and want to engage to become future leaders.

By imposing hurdles on new tenured hires, Indiana's public universities will find themselves at a disadvantage in attracting top-level faculty. Whether in STEM (science, technology, engineering, and mathematics) fields, humanities, or social sciences, faculty achieve their credentials only after long years of intensive graduate training. They then enter a competitive national job market, in which they may apply for dozens of different positions in as many states. Although academic job markets vary across disciplines, candidates are unlikely to opt for institutions where their research and teaching will not benefit from the academic freedom guaranteed by tenure. Should Indiana's legislature pass this bill, any public university in the state would immediately become an employer of last choice among scholars who desire an environment amenable to high-quality teaching and research.

SB 202 is a danger to both the quality of history education and Indiana's system of public higher education itself. It would inappropriately inject university boards of trustees into decisions about faculty hiring and work responsibilities—an intrusion across the boundary of governance and management in any nonprofit entity.

With more than 11,000 members, the AHA is the largest membership association of professional historians in the world. Founded in 1884 and chartered by Congress in 1889 for the promotion of historical studies, the Association provides leadership for the discipline, helps to sustain and enhance the work of historians, and promotes the imperative of historical thinking in public life.

Everything has a history. If passed, SB 202 would undermine the quality of public education in Indiana by preventing qualified instructors from teaching honest and accurate history in courses that serve the needs of our students.

Sincerely,

A handwritten signature in black ink, appearing to read "James Grossman". The signature is fluid and cursive, written in a professional style.

James Grossman, Executive Director